

DETAILED ACTION

Status of the Claims

Claims 1, 7-11, 13, 15-17 and 24-25 are pending wherein claim 1 is amended, claims 7-10 are withdrawn from consideration; claims 2-6, 12, 14 and 18-23 are canceled; and claim 25 is new.

Status of Previous Rejections

The previous rejection of claims 1, 11, 13, 15-17 and 24 under 35 U.S.C. 103(a) as being unpatentable over Bitter et al. (GB 2,190,100) is withdrawn in view of the Applicant's arguments and the Declaration submitted on 10 March 2008.

Allowable Subject Matter

Claims 1, 11, 13, 15-17 and 24-25 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: The Declaration filed 10 March 2008 establishes the criticality of having a molybdenum equivalent "Mo_{eq}" of from 3 to 11% by mass and an oxygen content between 0.6 and 3.0% by mass in order to control the Young's Modulus such that it would be below 70 GPa or less; control the Tensile Strength such that it would be 1,000 MPa or more and control the Elastic Deformability such that it would be 1.6% or more.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Thomas M. Cunningham on 23 May 2008.

Cancel claims 7-10.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jessee Roe whose telephone number is (571) 272-5938. The examiner can normally be reached on Monday-Friday 7:30 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Roy V. King can be reached on (571) 272-1244. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1793

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JR